

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
HARRY FINGER,

Plaintiff,

-against-

NATIONAL BOY SCOUTS OF AMERICA
FOUNDATION a/k/a THE BOY SCOUTS OF
AMERICA; GREATER NEW YORK COUNCILS
BOY SCOUTS OF AMERICA d/b/a QUEENS
COUNCIL, GREATER NEW YORK COUNCILS,
BOY SCOUTS OF AMERICA; ST. NICHOLAS
OF TOLENTINE; UNIVERSITY HEIGHTS
PRESBYTERIAN CHURCH; and DOES 1-5,
whose identities are unknown to Plaintiff,

Defendants.

ANALISA TORRES, District Judge:

USDC SDNY
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ORDER

This action was filed in state court on August 19, 2019. Notice of Removal ¶ 2, ECF No. 1. On February 18, 2020, Defendant National Boy Scouts of America Foundation (the “BSA”) filed a bankruptcy petition in the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”). *Id.* ¶ 3. That same day, BSA commenced an adversary proceeding seeking to enjoin actions around the country related to the bankruptcy. ECF No. 3. The BSA also filed in the United States District Court for the District of Delaware a motion to transfer this action, and others like it, to that court, pursuant to 28 U.S.C. §§ 157(b)(5) and 1334(b). Notice of Removal ¶ 4. On April 20, 2020, the BSA removed the action to this Court. *See* Notice of Removal. On March 30, 2020, the Bankruptcy Court entered a consent order staying this proceeding as against Defendant Greater New York Councils, Boy Scouts of America. ECF No. 6. As a result, proceedings are stayed against two Defendants: the Greater New York Councils pursuant to the Bankruptcy Court order, and the BSA pursuant to the automatic stay provision at 11 U.S.C. § 362. And the motion to transfer this action to another district court remains pending.

Plaintiff’s claims against the Greater New York Councils and the BSA are intertwined with his claims against the other Defendants. Accordingly, it is ORDERED that this action is stayed as a whole pending resolution of the motion to transfer. By **May 4, 2020**, Defendant BSA is directed to file a letter informing the Court as to the status of proceedings in the Delaware actions.

The Clerk of Court is directed to stay this action.

SO ORDERED.

Dated: April 2, 2020
New York, New York



ANALISA TORRES
United States District Judge